

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 547

October 27, 1995, 7:36 p.m.
Page S-16029 Temp. Record

BALANCED BUDGET RECONCILIATION/No Deduction for Tobacco Ads

SUBJECT: Balanced Budget Reconciliation Act of 1995 . . . S. 1357. Exon motion to waive the Budget Act for the consideration of the Bradley amendment No. 3032.

ACTION: MOTION REJECTED, 23-76

SYNOPSIS: As reported, S. 1357, the Balanced Budget Reconciliation Act of 1995, will result in a balanced budget in seven years, as scored by the Congressional Budget Office (CBO). The bill will also provide a \$245 billion middle-class tax cut, \$141.4 billion of which will be to provide a \$500 per child tax credit.

The Bradley amendment would disallow deductions for expenses relating to the advertisement of tobacco products. The additional \$3.2 billion in tax revenue that would be collected over 7 years as a result of this limitation would be used to increase spending on the Medicaid welfare program (for related debate, see 102d Congress, 2d session, vote No. 235).

The Bradley amendment was offered after all debate time had expired. However, by unanimous consent, one minute of debate was permitted on the amendment. Following debate, Senator Ford raised the point of order that the amendment violated section 305(b) of the Budget Act because it was not germane. Senator Exon then moved to waive the Budget Act for the consideration of the Bradley amendment. Generally, those favoring the motion to waive opposed the amendment; those opposing the motion to waive favored the amendment.

NOTE: A three-fifths majority (60) vote of the Senate is required to waive the Budget Act. Following the failure of the motion to waive, the point of order was upheld and the amendment thus fell.

Those favoring the motion to waive contended:

The Bradley amendment would not stop cigarette companies from advertising. All it would do is eliminate the tax deduction that is currently given for such advertising. In other words, Uncle Sam would no longer subsidize advertisements for Joe Camel. The savings would be used to pay for medical care for the needy. We urge our colleagues to support this amendment.

(See other side)

YEAS (23)		NAYS (76)				NOT VOTING (0)	
Republicans (6 or 11%)	Democrats (17 or 37%)	Republicans (47 or 89%)		Democrats (29 or 63%)		Republicans (0)	Democrats (0)
Bennett	Bingaman	Abraham	Inhofe	Akaka	Heflin		
Cohen	Boxer	Ashcroft	Jeffords	Baucus	Inouye		
DeWine	Bradley	Bond	Kassebaum	Biden	Johnston		
Hatch	Bumpers	Brown	Kempthorne	Breaux	Kerrey		
Hatfield	Byrd	Burns	Kyl	Bryan	Kohl		
Snowe	Glenn	Campbell	Lott	Conrad	Leahy		
	Harkin	Chafee	Lugar	Daschle	Levin		
	Hollings	Coats	Mack	Dodd	Lieberman		
	Kennedy	Cochran	McCain	Dorgan	Mikulski		
	Kerry	Coverdell	McConnell	Exon	Nunn		
	Lautenberg	Craig	Murkowski	Feingold	Pryor		
	Moseley-Braun	D'Amato	Nickles	Feinstein	Reid		
	Moynihan	Dole	Pressler	Ford	Robb		
	Murray	Domenici	Roth	Graham	Sarbanes		
	Pell	Faircloth	Santorum		Simon		
	Rockefeller	Frist	Shelby				
	Wellstone	Gorton	Simpson				
		Gramm	Smith				
		Grams	Specter				
		Grassley	Stevens				
		Gregg	Thomas				
		Helms	Thompson				
		Hutchison	Thurmond				
			Warner				

EXPLANATION OF ABSENCE:

1—Official Business
2—Necessarily Absent
3—Illness
4—Other

SYMBOLS:

AY—Announced Yea
AN—Announced Nay
PY—Paired Yea
PN—Paired Nay

Those opposing the motion to waive contended:

The tax deduction for advertising that tobacco companies use is the same tax deduction that every other company in America that advertises uses. Our colleagues have falsely implied that this amendment would take away a deduction expressly designed for tobacco companies. Instead, their amendment would single out this one legal product for punitive treatment. Those of our colleagues who may not mind singling out tobacco should nevertheless be wary of this precedent. After tobacco, what product will be next? Liquor? Wine? Beer? Foods with high cholesterol? We remind our colleagues that it was only a few years ago that one Federal regulatory agency tried to ban runny eggs. Even those Senators who are generally tickled by the prevailing notions of political correctness should be disturbed by the rather obvious attempt that is being made by this amendment to limit the free speech rights of tobacco companies to advertise. We urge our colleagues to take a stand against the nanny state and in favor of free speech by voting to reject the motion to waive.